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10 ONYX PHARMACEUTICALS, INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 ONYX PHARMACEUTICALS, INC.,

16 Plaintiff,

17 v.

18 BAYER CORPORATION, BAYER AG,  
BAYER HEALTHCARE LLC, AND  
19 BAYER SCHERING PHARMA AG,

20 Defendants.  
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Case No. C 09-2145 (MHP)

**STIPULATION AND ~~PROPOSED~~ ORDER  
RESCHEDULING STATUS CONFERENCE**

1           **WHEREAS**, on April 28, 2010, the parties filed a stipulation to reschedule the Status  
2 Conference in this matter to June 14, 2010;

3           **WHEREAS**, on April 30, 2010, the Court issued an order setting the Status Conference on  
4 July 19, 2010;

5           **WHEREAS**, lead counsel for Plaintiff Onyx Pharmaceuticals both have unavoidable  
6 scheduling conflicts on July 19, 2010;

7           **WHEREAS**, the parties' respective counsel are available on August 2, 2010 for a Status  
8 Conference, and respectfully request that the Court reschedule the conference for that date;

9           **THEREFORE**, the parties hereby stipulate and agree, by and through counsel, to the entry  
10 of an order as follows:

11           1.       The post-mediation Status Conference, currently scheduled for July 19, 2010, is  
12 hereby rescheduled to August 2, 2010 at 3:00 p.m.;

13           2.       A Status Conference Statement will be due one week prior to the Status  
14 Conference.

15 Dated: June 18, 2010

COOLEY LLP

16                     /s/Martin S. Schenker

17 Martin S. Schenker  
18 Attorneys for Plaintiff  
ONYX PHARMACEUTICALS, INC.

19 Dated: June 18, 2010

BARTLIT BECK HERMAN PALENCHAR &  
SCOTT LLP

21                     /s/ Jason Peltz

22 Jason Peltz  
23 Attorneys for Defendants  
BAYER CORPORATION, BAYER AG,  
24 BAYER HEALTHCARE LLC, AND BAYER  
SCHERING PHARMA AG

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: June 21, 2010

27 Hon. Marilyn H. Patel

28 2.



**GENERAL ORDER 45 ATTESTATION**

In accordance with General Order 45, concurrence in the filing of this document has been obtained from each of the signatories and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

Dated: June 18, 2010

COOLEY LLP

/s/ Martin S. Schenker

Martin S. Schenker  
Attorneys for Plaintiff  
ONYX PHARMACEUTICALS, INC.